UNITED STATES COURT OF APPEALS

LEONARD GREEN CLERK FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 532
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

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RE: 04-5128

Bellsouth Tele Inc vs. Cinergy District Court No. 03-00023

Dear Counsel:

Please be advised that the above-styled case will be held in abeyance pending the disposition of one of the items listed below:

[Other litigation.]

Appellant is required to file a status report with the court by 3/31/04 and every 60 days thereafter.

Upon resolution of the above mentioned matter, we will instruct you further.

Very truly yours, Leonard Green, Clerk

Julie Brock Gase Manager